

**Iowa Department of Human Services
CHILD CARE CENTER COMPLAINT**

Name of Center: KinderCare Learning Center #291		Enrollment: 80	License ID: 4157000039
Street: 310 Burdette Dr. SW	City: Cedar Rapids	IA Zip Code: 52404	County: Linn
Mailing Address: 310 Burdette Dr. SW			
Mailing City: Cedar Rapids	IA	Zip Code: 52404	
Director's Name: Sara Schwerin		Center Phone Number: 319-396-5391	
On-Site Supervisors: Laura Cook, Assistant Director/On-Site		E-Mail Address: 300291@klcorp.com	

Date of Complaint: 10/10/2013

Date of Visit: 10/23/2013

☐ Scheduled ☒ Unannounced ☐ NA

☒ Non-Compliance with Regulations Found ☐ Compliance with Regulations Found ☐ NA

RECOMMENDATION FOR LICENSE

[X] NO CHANGES to licensing status recommended

[] **PROVISIONAL** license from _____ to _____

[] SUSPENSION of License

[] REVOCATION of License

Summary of Complaint:

On 10/10/2013, a complainant reported the following:

1. On 10/10/2013, school-age children were eating a breakfast of bagels with cream cheese and bananas. Children had their food placed on small napkins on top of a table with dried paint all over it. Newspaper was stuck to the paint.
2. On 10/10/2013, there was a grocery store plastic bag filled with dirty diapers on the floor in the school-age area several feet from the table where children were eating breakfast. The center smells like dirty diapers. The school-age area smells like dirty diapers.
3. On 10/10/2013, there were papers “strewn” around the floor inside the security door area of the center.
4. On 10/09/2013, four school-age boys were building with blocks at the block table. When their towers got tall, the boys threw the blocks in the air. The KinderCare staff did not notice that this was happening despite the loud noise when the blocks crashed to the floor and table.
5. Several weeks prior to 10/10/2013, one older school-age boy was observed pounding on the window with two fists repeatedly. Two staff members were in the room but did nothing. On that same day, several school-age boys (including the one who had banged on the window) were observed putting one another in headlocks with their arms around each other’s necks. There were staff in the room that did nothing to stop the behavior. The school-age boy (the one who had banged on the window) was observed riding the bus to KinderCare after school. He spit on the girl sitting next to him and poked her with a wood chip. The director was informed of this and responded by saying the child’s grandmother had been notified. The same child was seen later that day banging a traffic cone on the outside playground fence.
6. In the mornings when children are being dropped off, the playground is often “strewn” with toys and plastic cups.

7. One afternoon, a school-age child was hit on the head by a block that was thrown by another school-age child off the playground equipment. An incident report was not done. The child reported getting ice from staff to treat the injury. The injury later bruised.
8. Afterschool, younger children carry woodchips from under the playground equipment to the top of the playground equipment and drop it down the slide. The staff do nothing about this.
9. Children take their seat belts off while being transported in the KinderCare buses to and from school. Staff do nothing about it.
10. School-age children have no place to sit and draw in the classroom. One or two tables are filled with children eating and stuff. On 10/10/2013, one of the tables was piled with fall decorations.
11. There is a lack of supervision at KinderCare. Staff do not welcome families when they arrive. Staff do not interact with the children. Staff stand with their backs to the children writing things on clipboards. The center is dirty. Many of the toys are worn and broken. Centers are not set up for the children. The program only offers coloring sheets and word finds printed off the internet. The program charges for craft projects. The week of 10/10/2013, families have to pay \$20 extra for school-age children to do a craft project on an early dismissal day.
12. On 10/17/2013, a school-age boy was observed finger painting on a large paper next to the main entrance before school. The boy was not wearing a paint shirt and using both hands to finger paint. School-age children do not have extra clothing at KinderCare and he could have got covered in paint before his school day started. There were large puddles of paint on the floor in the walkway to the children's lockers. When staff was told about the paint, staff did clean it up.

Licensing Rules Relevant to the Complaint:

There are numerous rule violations related to the above suspected complaints.

Inspection Findings:

An unannounced visit was conducted to KinderCare on 10/23/2013. Director Sara Schwerin and assistant director Laura Cook were present along with several other staff. It is important to note, Child Care Resource and Referral agent Marie Rompot also participated in the visit. The following (in respective order) is based upon observations while on-site a face-to-face interview with the director:

1. Ms. Schwerin reported that on 10/10/2013 (when it was brought to her attention), she talked with school-age staff about children eating at a food table that was not properly cleaned and sanitized. Ms. Schwerin talked about there still being visible paint and newspaper on the table from a craft. Ms. Schwerin reported school-age children do help clean the tables but that staff should always check the tables afterwards and prior to sanitizing. Rule 109.15(5) "Food preparation and storage procedures are consistent with National Health and Safety Performance Standards (NHSP)" - VIOLATED. On 10/23/2013, breakfast included milk, bagel with sun butter, and canned peaches. School-age children rotate eating breakfast/snack. Sun butter was observed on various areas of the food table and the children's chairs. A discussion was had that after each group of children rotates out of snack, the food tables shall be fully cleaned and sanitized (by staff) prior to the next group of children partaking in breakfast/snack.
2. Ms. Schwerin denied that there was a bag of dirty diapers in the school-age room. She reported there is a grocery sack of clean diapers that the children play with in the home living center. Ms. Schwerin talked about how this may have been what was observed. Ms. Schwerin denied that staff ever store bags of garbage, including bags of dirty diapers, in the classrooms. Ms. Schwerin reported the center's policy is that any filled bags of soiled diapers and/or garbage is taken directly outside to the center dumpsters. On 10/23/2013, no bags of dirty diapers were observed sitting out in any of the classrooms. Ms. Schwerin also reported the center just had their NAEYC accreditation visit on 10/16/2013. Ms. Schwerin talked about how staff have been extra diligent in cleaning and preparation for this visit.
3. Ms. Schwerin reported sometimes when the center's main entrance doors are opened, flyers in the vestibule area do get blown off the table. Ms. Schwerin reported when staff notice this, the papers/flyers are picked up. On 10/23/2013, papers and flyers were not observed on the floor in the center's entryway and/or vestibule area.
4. Ms. Schwerin talked about how the school-age children like to build towers. Ms. Schwerin reported the school-age children have dropped blocks and thrown blocks. Ms. Schwerin talked about one game in particular "Jenga" in which the school-age children have a difficult time keeping the blocks on the table. Ms. Schwerin discussed how staff regularly remind the school-age

children about the classroom rules. On 10/23/2013, children were not observed to be throwing blocks in the air and/or at each other.

5. Ms. Schwerin talked about one child in the school-age room who is receiving mental health services including medication management. Ms. Schwerin reported there was a period of time in which the child's medications were being adjusted and the child was displaying many behaviors. Ms. Schwerin discussed how KinderCare partnered with the family, the child's treating doctor, and the local school district. Ms. Schwerin denied that staff and/or the program was not addressing the situation. Ms. Schwerin also talked about how this child sat with his sister on the school bus one day. Ms. Schwerin acknowledged the child spit on his sister and poked her with a wood chip. Ms. Schwerin reported that when staff became aware of the situation, staff immediately notified her. Ms. Schwerin talked about how she then immediately contacted the child's family and requested he be picked up once the bus arrived back to the center from school. Ms. Schwerin reported the child's medications have been adjusted and he has displayed fewer behaviors. Ms. Schwerin talked about how a parent did express concern to her about this child's behaviors but that due to confidentiality she provided a limited response. Ms. Schwerin discussed how the center uses PBIS (Positive Behavior Intervention Supports) as a means of discipline. Ms. Schwerin talked about using positive redirection and small rewards such as stickers or a Friday event including a "pizza party". On 10/23/2013, no school-age children were observed displaying out-of-the-ordinary behaviors. Staff were observed providing children with positive redirection when needed (including when cleaning up classroom supplies prior to gathering their personal items in order to transition to the school-day).

6. Ms. Schwerin reported children do play on the playground with plastic cups. Ms. Schwerin stated the children use the cups in the sensory table and have stacking cup races. She talked about how when the weather is nice in the morning, the school-age children do use the playground prior to being transported to their respective school. Ms. Schwerin reported at night, the cups, light weight toys, and neighborhood garbage sometimes gets blown into and around their playgrounds. She reported a center staff does check the playground every day and pick up garbage prior to the children using it. Ms. Schwerin also reported staff do take a small grocery sack with them onto the playground when they go out in case any additional garbage, Kleenex, etc. needs to be disposed of. On 10/23/2013, about 4-5 pieces of paper were observed on the younger playground in the grass. Due to the weather, children had not yet accessed the playgrounds for the day and staff had not yet checked the playgrounds for possible hazards.

7. Ms. Schwerin denied knowing anything about a child being hit with a block by another child on the playground. Ms. Schwerin denied that any one brought this to her attention. Ms. Schwerin reported if it did happen and had been brought to her attention right away, she could and would have addressed the situation. On 10/23/2013, no children were observed throwing toys at one another.

8. Ms. Schwerin reported the children do like to take wood chips up and down the slide. She reported purchasing "pom-poms" for the children to take up and down the slide to help prevent them from using wood chips. Ms. Schwerin talked about how the children are regularly reminded not to do this and that staff did intervene if they see it happening. On 10/23/2013, due to the weather, outdoor play was not observed by licensing.

9. Ms. Schwerin talked about how there is no rule in Iowa that states a child riding a school bus is required to wear a safety belt. Ms. Schwerin, however, also discussed how their center strongly encourages the children to fasten their seat belts. On 10/23/2013, school-age children were observed transitioning from the classroom to the center's mini-buses. All school-age children were encouraged to put on their seat belts prior to leaving the parking lot. The staff transporting the children to school reported they can hear a "loud click" if a child takes their seat belt off and they have older children who are "bus monitors" who report if this happens to the bus driver. Staff talked about how the children are reminded daily about the mini-bus rules. Ms. Schwerin also reported she periodically rides the school bus with the children to help ensure they follow the mini-bus rules. Staff had their first-aid kit and emergency numbers with them on the bus.

10. Ms. Schwerin talked about how a few weeks ago there was a table in the school-age room that did have fall decorations on it. Ms. Schwerin reported staff were getting their classroom set up for fall. Ms. Schwerin reported if a school-age child asks to draw, he/she is given a place to do this. Ms. Schwerin talked about how centers are set up each day but it's not always the same centers to allow children a variety of play experiences. On 10/23/2013, (before school) school-age centers observed included painting, board games, soft corner reading books, home living center, and sensory play.

11. Ms. Schwerin denied that children and families are not greeted each day upon arrival. On 10/23/2013, staff were observed greeting children and families. Greeting included "hello" and "how are you doing today". Ms. Schwerin reported there are 20 school-age children enrolled at KinderCare. She indicated some are full-time and others are part-time. Ms. Schwerin reported the most that ever come at one time has been 17 school-age children. Ms. Schwerin stated they have 2 staff in the room when more than 15 school-age children are on-site. On 10/23/2013, the school-age room was within ratio. Ms. Schwerin talked about how prior to school, school-age children are given more free choice play before they transition to the structured school day. She

reported after school, there is more structured activities. Ms. Schwerin talked about having centers available (before and after school) and that when the weather is nice school-age children are encouraged to participate in large gross motor play outdoors. She talked about how KinderCare tries to promote a “kids club atmosphere” with their school-agers by letting the children help decide what they want to do while at the center. Ms. Schwerin reported as an example the school-age children found interesting color sheets and word finds online which they printed out. Ms. Schwerin also talked about how the center does provide some structured activities including crafts and cooking projects with all the children. Ms. Schwerin gave an example of how there is an early-out scheduled this week for the school-age children. She reported all the school-age children will be given an opportunity to make a spider cupcake and a craft (paper plate spider) at no extra cost. Ms. Schwerin then talked about how KinderCare does offer additional enrichments for an additional cost including extra reading help, phonics work, additional craft/cooking projects, and Kindermusic. On 10/23/2013, staff cleaning charts were reviewed. Ms. Schwerin reported staff complete daily cleaning, disinfecting, and sanitizing throughout the center. She also talked about how KinderCare contracts with an outside cleaning company to come into the center 2-3 times a week and on weekends. Ms. Schwerin reported the cleaning company steams/vapors all restrooms (including walls, toilets sinks, etc.). Ms. Schwerin talked about how staff do walk around a lot with a clip board. She reported KinderCare’s policy is that a child supervision record is kept and that each child is counted (checked off) at least every 30 minutes. Ms. Schwerin talked about how the center recently participated in QRS and used much of the money they received to purchase new supplies. Ms. Schwerin reported the school-age room received Magna Tiles, several new board games, new legos, new blocks, Marble Madness, and other manipulatives. She reported being surprised that there are old and broken toys in the school-age classroom. Ms. Schwerin talked about how the school-agers have helped pick out some of the items they wanted in their classroom.

12. Ms. Schwerin talked about how if a child wants to paint during self-selected activities, the center is going to allow them to do so. Ms. Schwerin talked about how all children are encouraged to put on a paint shirt prior to painting but that a child can’t be forced to wear a paint shirt. Ms. Schwerin talked about how parents (even school-age parents) should supply the center with an extra set of clothing for their child in the event of a “potty accident”, spill, etc. On 10/23/2013, school-age children were observed painting at the art easel.

Ms. Schwerin reported that she believes she knows who made the complaints and that she wished this parent would have come and talked to her about these things. Ms. Schwerin talked about how if something is happening that a parent doesn’t like or a parent has a question about, she/he should report it to management right away so that the situation can be looked into, explained to her/him, and if needed corrected.

Special Notes and Action Required:

Ms. Schwerin reported food service routines in the school-age room will change effective immediately. Ms. Schwerin stated she would talk with all school-age staff by the end of the week (10/25/2013) regarding each of these complaints and KinderCare’s policies. Ms. Schwerin also stated she would talk with the school-agers again about bus rules (which are done daily) and classroom rules by the end of the week (10/25/2013).

Based upon the above, no further action is requested.

If you feel something is unclear or unjustly cited, please contact me (phone 319-892-6827; email alyons@dhs.state.ia.us <<mailto:alyons@dhs.state.ia.us>>) so that we may discuss the issue. If necessary, I can make a notation in your record. You may also send a letter that will be included in your licensing file noting any disagreement you may have with this report. If I have failed to provide for you any information discussed during my visit, please contact me and I will forward the information to you. Thank you.

Consultant's Signature:

Date:

10/25/2013

